



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,542	12/19/2001	Reynaldo Gil	M-11736 US	2451
7590	01/23/2006		EXAMINER	
Philip W. Woo C/O SIDLEY AUSTIN BROWN & WOOD LLP 555 CALIFORNIA STREET SUITE 5000 San Francisco, CA 94104-1715			JEANTY, ROMAIN	
			ART UNIT	PAPER NUMBER
			3623	
			DATE MAILED: 01/23/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/028,542	GIL ET AL.
	Examiner Romain Jeanty	Art Unit 3623

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 December 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-50 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to the communication received December 19 , 2001.

Claims 1-50 are pending in the application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1, 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 17, and 38 recite the phrase of generating/providing a context for the transaction. However, such phrase renders the claims vague and indefinite, and it is unclear as to what applicant means by generating/providing a context for the transaction. Appropriate action is required.

Any other claims that depend from claims 1, 17, and 38, these claims also suffer the same deficiency.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-20, 22-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Stowell et al “Stowell” (U.S. 20020099579).

As per claim 1, Stowell discloses an event-monitoring architecture for performance-based supply chain management. In so doing, Stowell discloses receiving a request for the transaction from an end-user or the partner [Paragraph 66], accessing real-time data relevant to the transaction from an existing partner system [Paragraph 26], generating a context for the transaction using the real-time data [Paragraph 0182], and processing the request in the context for the transaction [Paragraph 31].

As per claim 2, Stowell further discloses the method of claim 1, wherein said accessing comprises communicating with a partner coordinator component integrated with the existing partner system [Paragraph 0140].

As per claim 3, Stowell further discloses the method of claim 1, wherein the real-time data comprises transaction data specifying a status for the transaction [Paragraph 0163].

As per claim 4, Stowell further discloses the method of claim 1, wherein the real-time data comprises reference data relating to the partner [Paragraph 0121]

As per claim 5, Stowell further discloses the method of claim 1, wherein accessing comprises receiving the real-time data in extensible markup language (XML) format [Paragraph 0135].

As per claim 6, Stowell further discloses the method of claim 5, further comprising converting the real-time data into a format usable by a network system, the network system operable to maintain the context for the transaction [Paragraph 0135].

As per claim 7, Stowell further discloses the method of claim 1, further comprising maintaining a context for the transaction at a network system [See Figure 2].

As per claim 8, Stowell further discloses the method of claim 7, further comprising: identifying the context for the transaction based upon the request, and routing the request for processing of the transaction [Paragraph 0104].

As per claim 9, Stowell further discloses the method of claim 1, further comprising sending a response to the request to the end-user or the partner [Paragraphs 0124-0125].

As per claim 10, Stowell further disclose the method of claim 1, wherein processing comprises initiating a workflow for the transaction at a network system [Paragraphs 0187].

As per claim 11, Stowell further discloses the method of claim 10, wherein the workflow comprises a plurality of tasks to be performed by the enterprise or partner in order to fulfill the transaction [Paragraphs 0187].

As per claim 12, Stowell further discloses the method of claim 11, wherein processing comprises notifying the partner of any tasks to be performed by the partner [Paragraphs 0152].

As per claim 13, Stowell further discloses the method of claim 10, wherein processing comprises initiating at least one process manager routine for managing the workflow [Paragraphs 0187].

As per claim 14, Stowell further discloses the method of claim 11, wherein the workflow comprises a routing workflow for routing the request to the enterprise or the partner for performance of the tasks [Paragraphs 0105, and Paragraph 0067].

As per claim 15, Stowell further discloses the method of claim 1, wherein processing comprises alerting the partner or the enterprise [Paragraphs 0029-0030].

As per claim 16, Stowell further discloses the method of claim 1, wherein processing comprises monitoring a service level associated with the transaction [Paragraphs 0141].

Claims 17, 18, and 19 contains similar limitations of rejected claims 1, 2, and 3 above; therefore, claims 17, 18, and 19 are rejected under the rationale relied upon of claims 1, 2, and 3.

As per claim 20, Stowell further discloses the system of claim 17, further comprising a database operable to maintain the context for the transaction [Paragraphs 0022].

As per claim 22, Stowell further discloses the system of claim 17, wherein the real-time data is accessed in extensible markup language (XML) format [Paragraph 0135].

As per claim 23, Stowell further discloses the system of claim 22, wherein said processing facility is operable to convert real-time data into a format usable by the system [Paragraph 0135].

As per claim 24. Stowell further discloses the system of claim 22, wherein the processing facility is operable to send a response to the request to the end-user or the partner [Paragraphs 0124-0125].

As per claim 25, Stowell further disclose the system of claim 17, wherein the processing facility is operable to initiate a workflow for the transaction at a network system [Paragraph 0187].

As per claim 26, Stowell further disclose the system of claim 25, wherein the workflow comprises a plurality of tasks to be performed by the enterprise or the partner in order to fulfill the transaction [Paragraph 0187].

As per claim 27, Stowell further disclose the system of claim 26, wherein the processing facility is operable to notify the partner of any tasks to be performed by the partner [Paragraph

0152].

As per claim 28, Stowell further disclose the system of claim 25, wherein the processing facility is operable to initiate at least one process manager routine for managing the workflow [Paragraphs 0105, and Paragraph 0067].

As per claim 29, Stowell further discloses the system of claim 26, wherein the workflow comprises a routing workflow for routing the request to the enterprise or the partner for performance of the tasks [Paragraphs 0105, and Paragraph 0067].

As per claim 30, Stowell further discloses the system of claim 17, wherein processing facility is operable to alert the partner or the enterprise [Paragraphs 0029-0030]..

As per claim 31, Stowell further discloses the system claim 17, wherein the processing facility is operable to monitor a service level associated with the transaction [Paragraphs 0141].

As per claims 32-35, 38-40, Stowell discloses a database operable to store real-time data relating to the one or more transactions, the database operable to maintain a respective context for each transaction [Paragraphs 0185], and an execution process engine operable to execute a respective workflow in the context for each transaction using the real-time data, each workflow comprising a plurality of tasks to be performed by the enterprise or the partner in order to fulfill the respective transaction [Paragraphs 0024, 0067 and 0185].

As per claim 36, Stowell discloses the system of claim 32, wherein each workflow comprises a process for transforming the real-time data according to a business policy between the enterprise and the partner [Paragraphs 0061].

As per claim 37, Stowell discloses the system of claim 32, wherein the database is operable to maintain one or more business policies relating to the partner [Paragraphs 0024].

Claim 41 recite the same limitations of rejected claim 1 above; therefore claim 41 is rejected under the same rationale relied upon of claim 1. In addition, Stowell discloses a network gateway. Note abstract and Paragraph 0031 of Stowell.

As per claim 42, Stowell further discloses wherein the network execution component executes at least one process workflow operable to transform the real-time data relevant to the transaction based on business rules for the supply chain [Paragraph 0154].

As per claim 43, Stowell further discloses wherein the network domain gateway comprises a transport component operable to send or receive one or more messages related to the transaction [Paragraph 0189].

As per claim 44, Stowell further discloses wherein the network domain gateway comprises a gateway router component operable to route one or more messages relating to the transaction between the existing system of a partner and an existing system of the enterprise [Paragraph 0189].

As per claim 45, Stowell further discloses wherein the gateway router component is operable to perform context-based routing of messages related to the transaction [Paragraph 0154].

As per claim 46, Stowell further discloses further comprising a messaging system operable to generate one or more messages for the real-time data and to route the messages within the network system [Paragraph 0189].

As per claim 47, Stowell further discloses wherein the network execution component is operable to manage at least one process workflow for the transaction [Paragraphs 0187].

As per claim 48, Stowell further discloses further comprising a database operable to store

the real-time data [Paragraphs 0022].

As per claim 49, Stowell further discloses the network system of claim 48 wherein the database is operable to store a context for the transaction [Paragraphs 0022].

As per claim 50, Stowell further discloses the network system of claim 48, wherein the database is operable to store one or more policy rules that govern the transaction [Paragraphs 0128 and 0148].

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stowell (U.S. 20020099579).

As per claim 21, Stowell discloses the use of a database but fails to explicitly disclose wherein said database comprises a relational database. However, the use of a relational database for storing data is notoriously old and well known in the database art. It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to have modified the disclosures of Stowell to incorporate a relational database because it would allow a user to manipulate the data.

Conclusion

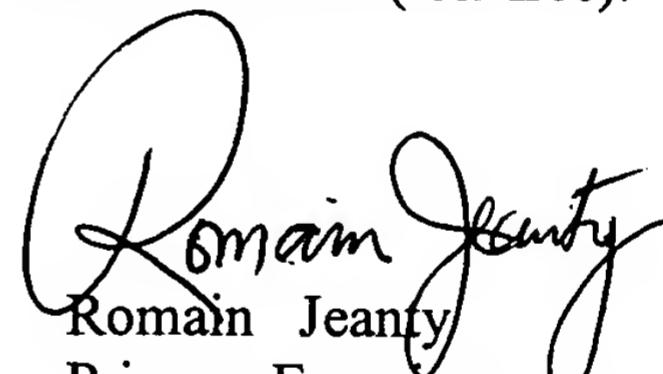
Art Unit: 3623

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30AM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 27, 2005



Romain Jeanty
Primary Examiner
Art Unit 3623